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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/637,182

Applicant(s)

CROMER ET AL.

Examiner

SUMAN DEBNATH

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-32 are pending in this application.
2. Claims 1, 4, 5, 11-12, 16, 22-23, 25, 27 and 32 are presently amended.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

Claim Rejections - 35 USC § 103

4. Claims 1-4, 12-15 and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watts (Patent No.: US 6,327,623 B2) in view of Guzman et al. (Patent No.: US 7,058,847 B1), hereinafter Guzman.
5. As to claim 1, Watts discloses a program product comprising: a computer useable medium having computer readable program code stored therein, the computer readable program code in said program product being effective (abstract) when executing to: determine the location of a computer executing the computer readable program code(column 8, lines 35-65), which has a storage device adapted to store various data files (column 16, lines 37-50) and assume a selected location in the computer based on the determined location (column 10, lines 40-60); files to be stored in the storage device according to the selected location (".....set at the directory holding the files located on the selected workspace", e.g., see column 16, lines 37-50);

Watts doesn't explicitly disclose tag files to be stored and implement a filter which (a) passes files tagged according to the selected location to an application executing within the computer and removes the tags applied by the code which is effective to tag and which (b) blocks files not tagged according to the selected location from being passed to the application executing within the computer.

However, Guzman discloses tag files to be stored (column 11, lines 60-67 - column 12, lines 1-10) and implement a filter which (a) passes files tagged according to the selected location to an application executing within the computer (column 11, lines 60-67 to column 12, lines 1-10) and removes the tags applied by the code which is effective to tag ("...restoration engine 404 remove character fields and renames the restoration file .." - e.g., column 13, lines 5-15) and which (b) blocks files not tagged according to a selected location from being passed to the application executing within the computer (column 11, lines 60-67 to column 12, lines 1-10, Guzman teaches this concept by appending a filename designation with an associated unique identifier and as described by Guzman this identifier can be used in the computer system for later use for restoration processing which would let the user access the appropriate file (i.e. files with associated unique identifier). Applicant should note that if the files can be viewed remotely according to the network element with which file data is associated then this implementation can be introduced only within a computer).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Watts by tagging files to be stored and by implementing a filter to remove the tag and to block files not tagged as taught by Guzman in order to access a file system related to a specific workspace in a secure manner.

6. As to claim 2, Watts doesn't explicitly disclose the code which is effective to tag files is code which appends characters to the data file name. However, Guzman discloses the code which is effective to tag files is code which appends characters to the data file name (column 11, lines 60-67 - column 12, lines 1-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Watts by including the code which is effective to tag files is code which appends characters to the data file name as taught by Guzman in order to access a file system related to a specific workspace in a secure manner.

7. As to claim 3, Watts discloses that the location is determined by assessing a system resource (column 9, lines 35-67).
8. As to claim 4, Watts discloses a system resource is selected from a group consisting of network settings and printer settings (column 9, lines 35-67).
9. As to claim 12, Watts discloses a method comprising the steps of: determining the location of a computer (column 8, lines 35-65) which has a storage device adapted to store various data files (column 16, lines 37-50) and assuming a selected location in the computer based on the determined location (column 10, lines 40-60); files to be stored in the storage device according to the selected location (".....set at the directory holding the files located on the selected workspace", e.g., see column 16, lines 37-50);

Watts doesn't explicitly disclose tag files to be stored and implement a filter which (a) passes files tagged according to the selected location to an application executing within the computer and removes the tags applied by the code which is effective to tag and which (b) blocks files not tagged according to the selected location from being passed to the application executing within the computer. However, Guzman discloses tag files to be stored (column 11, lines 60-67 to column 12, lines 1-10)

and implement a filter which (a) passes files tagged according to the selected location to an application executing within the computer and removes the tags applied by the code which is effective to tag ("...restoration engine 404 remove character fields and renames the restoration file .." - e.g., column 13, lines 5-15) and which (b) blocks files not tagged according to a selected location from being passed to the application executing within the computer (column 11, lines 60-67 - column 12, lines 1-10, Guzman teaches this concept by appending a filename designation with an associated unique identifier and as described by Guzman this identifier can be used in the computer system for later use for restoration processing which would let the user access the appropriate file (i.e. files with associated unique identifier). Applicant should note that if the files can be viewed remotely according to the network element with which file data is associated then this implementation can be done only within a computer).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Watts by tagging files to be stored and by implementing a filter to remove the tag and to block files not tagged as taught by Guzman in order to access a file system related to a specific workspace in a secure manner.

10. As to claim 13, Watts doesn't explicitly disclose the method wherein said tagging is one which appends characters to the data file name. However, Guzman discloses the method wherein said tagging is one which appends characters to the data file name (column 11, lines 60-67 to column 12, lines 1-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Watts by including a method wherein said tagging is

one which appends characters to the data file name as taught by Guzman in order to access a file system related to a specific workspace in a secure manner.

11. As to claim 14, Watts discloses that the method wherein the location of said determining step is determined by assessing a system resource (column 9, lines 35-67).

12. As to claim 15, Watts discloses the method wherein the system resource is selected from the group consisting of network settings and printer settings (column 9, lines 35-67).

13. As to claim 23, Watts discloses apparatus comprising: a location switch which determines the physical location of a computer (column 8, lines 35-65) having a storage device capable of storing various data files (column 16, lines 37-50), the location switch indicating a selected location based on the determined location (column 10, lines 40-60);

Watts doesn't explicitly disclose a tagger which is coupled to said location switch and which tags files to be stored in the storage device by modifying the names of the files according to the selected location as indicated by said location switch; and a filter which is coupled to said location switch and which (a) passes files tagged according to the selected location, to an application executing within the computer by restoring each file name to the name existing prior to the modification performed by said tagger and which (b) blocks files not tagged according to the selected location from being passed to the application executing within the computer.

However, Guzman discloses a tagger which tags files to be stored in the storage device by modifying the names of the files according to the selected location (column 11, lines 60-67 to column

12, lines 1-10); and a filter which (a) passes files tagged according to the selected location to an application executing within the computer by restoring each file name to the name existing prior to the modification performed by said tagger ("...restoration engine 404 remove character fields and renames the restoration file .." - e.g., column 13, lines 5-15) and which (b) blocks files not tagged according to the selected location from being passed to the application executing within the computer (column 11, lines 60-67 - column 12, lines 1-10, Guzman teaching of blocking file not tagged by associating a specific unique identifier with the file name).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Watts by tagging files to be stored and by implementing a filter to remove the tag and to block files not tagged as taught by Guzman in order to access a file system related to a specific workspace in a secure manner.

14. As to claim 24, Watts doesn't explicitly disclose apparatus wherein the data file name modification is one which appends characters to the data file name. However, Guzman discloses apparatus wherein the data file name modification is one which appends characters to the data file name (column 11, lines 60-67 - column 12, lines 1-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Watts by including the data file name modification is one which appends characters to the data file name as taught by Guzman in order to access a file system related to a specific workspace in a secure manner.

15. As to claim 25 Watts discloses the apparatus wherein the physical location is determined by assessing a system resource (column 9, lines 35-67).
16. As to claim 26, Watts discloses the apparatus wherein the system resource is selected from the group consisting of network settings and printer settings (column 9, lines 35-67).
17. Claims 5-11, 16-22 and 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watts in view of Guzman and further in view of Kataoka et al. (Patent Number: 5,857,021), hereinafter Kataoka.
18. As to claim 5, Watts discloses a program product comprising: a computer useable medium having computer readable program code stored therein, the computer readable program code in said program product being effective (abstract) when executing to: determine a location of a computer (column 8, lines 35-65) which has a storage device adapted to store various data files (column 16, lines 37-50) and assume a selected location in the computer based on the determined location (column 10, lines 40-60); files to be stored in the storage device according to the selected location wherein the contents of the files are stored on the storage device (".....set at the directory holding the files located on the selected workspace", e.g., see column 16, lines 37-50); wherein, when at least one application is executed in the computer, a change in the selected location based on a newly determined location does not require termination of the at least one application (column 9, lines 30-35 and lines 54-65, column 10, lines 40-60).

Watts doesn't explicitly disclose tag files to be stored in an encrypted format and implement a filter which (a) passes files tagged according to the selected location to an application executing within the computer and removes the tags applied by the code which is effective to tag files and decrypts the contents of tagged files which have been stored in an encrypted format on the storage device and which (b) blocks files not tagged according to the selected location from an application executing within the computer.

However, Guzman discloses tag files to be stored (column 11, lines 60-67 to column 12, lines 1-10) and implement a filter which (a) passes files tagged according to the selected location to an application executing within the computer and removes the tags applied by the code which is effective to tag files ("...restoration engine 404 remove character fields and renames the restoration file .." - e.g., column 13, lines 5-15) and which (b) blocks files not tagged according to a selected location from an application executing within the computer (column 11, lines 60-67 - column 12, lines 1-10, Guzman teaching this concept by appending a filename designation with an associated unique identifier and as described by Guzman this identifier can be used in the computer system for later use for restoration processing which would let the user access the appropriate file (i.e. files with associated unique identifier). Applicant should note that if the files can be viewed remotely according to the network element with which file data is associated then this implementation can be done only within a computer).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Watts by tagging files to be stored and by implementing a filter to remove the tag and to block files not tagged as taught by Guzman in order to access a file system related to a specific workspace in a secure manner.

Neither Watts nor Guzman explicitly disclose storing file in an encrypted format and decrypting file that have been stored in an encrypted format on the storage device. However, Kataoka discloses storing file in an encrypted format (abstract, FIG. 6) and decrypting file that have been stored in an encrypted format on the storage device (abstract, FIG. 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to modify the teaching of Watts and Guzman by storing file in an encrypted format and decrypting file that have been stored in an encrypted format on the storage device as taught by Kataoka in order to provide "a reliable security systems to protect information in storage media from unauthorized access." (Kataoka)

19. As to claims 16 and 27, these are rejected using the same rationale as for the rejection of claim 5.

20. As to claim 6, Watts discloses selecting location (column 10, lines 40-60). Watts doesn't explicitly disclose the code which implements the filter further passes files tagged as universal irrespective of the selected location and thereby overrides the filter action (b) which otherwise blocks files not tagged according to the selected location. However, Guzman discloses the code which implements the filter further passes files tagged as universal irrespective of the selected location and thereby overrides the filter action ("...restoration engine 404 remove character fields and renames the restoration file" - e.g., column 13, lines 5-15) (b) which otherwise blocks files not tagged according to a selected location (column 11, lines 60-67 - column 12, lines 1-10, Guzman teaching of blocking file not tagged by associating a specific unique identifier with the file name).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Watts by including the code which implements the filter further passes files tagged as universal irrespective of the selected location and thereby overrides the filter action (b) which otherwise blocks files not tagged according to the selected location as taught by Guzman in order to access a file system related to a specific workspace in a secure manner.

21. As to claims 17 and 28, these are rejected using the same rationale as for the rejection of claim 6.

22. As to claim 7, Watts discloses the product wherein a call to selecting one of the location determinations performed by the code (column 8, lines 45-65, column 9, lines 35-65 and column 10, lines 40-55). Watts doesn't explicitly disclose calling a cryptographic processor, which determines the encryption performed by the code which implements, the filter, and the decryption performed the code, which implements the filter. However, Guzman discloses the code which implements a filter ("...restoration engine 404 remove character fields and renames the restoration file .." - e.g., column 13, lines 5-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Watts by including codes which implements a filter as taught by Guzman in order to access a file system related to a specific workspace in a secure manner.

Neither Watts nor Guzman explicitly disclose calling a cryptographic processor, which determines the encryption and decryption performed. However, Kataoka discloses calling a

cryptographic processor, which determines the encryption and decryption performed (abstract, FIG. 6 and FIG. 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to modify the teaching of Watts and Guzman by storing file in an encrypted format and decrypting file that have been stored in an encrypted format on the storage device as taught by Kataoka in order to provide "a reliable security systems to protect information in storage media from unauthorized access." (Kataoka)

23. As to claims 18 and 29, these are rejected using the same rationale as for the rejection of claim 7.

24. As to claim 8, neither Watts nor Guzman discloses the product wherein the cryptographic processor called is a trusted platform module. However, Kataoka discloses the product wherein the cryptographic processor called is a trusted platform module (FIG. 6 and FIG. 7, Kataoka discloses trusted platform module by validating identification before encrypting or decrypting any data).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to modify the teaching of Watts and Guzman by including a product wherein the cryptographic processor called is a trusted platform module as taught by Kataoka in order to provide "a reliable security systems to protect information in storage media from unauthorized access." (Kataoka)

25. As to claims 19 and 30, these are rejected using the same rationale as for the rejection of claim 8.

26. As to claim 9, Watts doesn't explicitly disclose code which is effective to tag files is code which appends characters to the data file name. However, Guzman discloses the code which is effective to tag files is code which appends characters to the data file name (column 11, lines 60-67 - column 12, lines 1-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Watts by including the code which is effective to tag files is code which appends characters to the data file name as taught by Guzman in order to access a file system related to a specific workspace in a secure manner.

27. As to claim 20, it is rejected using the same rationale as for the rejection of claim 9.

28. As to claim 10, Watts discloses that the location is determined by assessing a system resource (column 9, lines 35-67).

29. As to claims 21 and 31, these are rejected using the same rationale as for the rejection of claim 10

30. As to claim 11, Watts discloses a system resource is selected from a group consisting of network settings and printer settings (column 9, lines 35-67).

31. As to claims 22 and 32, these are rejected using the same rationale as for the rejection of claim 11.

32. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Response to Arguments

33. Applicant's arguments filed 02 August 2008 have been fully considered but they are not persuasive.

Applicant argues that: "Watts and Guzman, taken separately or in combination, fail to describe or teach the requirements of claim 1, as mended herein, for a program product implementing a method providing a filter passing files tagged according to the location of a computing system in which the method is executed to applications executing within the computing system. Watts does not describe tagging files, and Guzman, as described in column 11, lines 59-64, describes tagging files according to network elements associated with the data within the files. Furthermore, as describes in column 11, lines 64-67, these tags are used to determine how the data is indexed, not whether or not

a file will be passed to an application. There is no indication in Guzman that a tag is ever used to block passing a data file to an application."

Examiner maintains that: Guzman discloses tag files to be stored in the storage device according to the location (column 11, lines 60-67 - column 12, lines 1-10, Guzman teaches the concept of tagging file by using the filename designation. Filename designation is done based on unique identifier which would be considered as selected personality) and implement a filter which (a) passes files tagged according to the selected personality and removes the tags applied by the code which is effective to tag files ("...restoration engine 404 remove character fields and renames the restoration file .." - e.g., column 13, lines 5-15) and which (b) blocks files not tagged according to the selected personality from being passed to the application executing within the computer (column 11, lines 60-67 to column 12, lines 1-10, Guzman teaching this concept by appending a filename designation with an associated unique identifier and as described by Guzman this identifier can be used in the computer system for later use for restoration processing which would let the user access the appropriate file (i.e. files with associated unique identifier. Applicant should note that if the files can be viewed remotely according to the network element with which file data is associated then this implementation can be done only within a computer).

Applicant argues that: "Watts, Guzman, and Kataoka, taken singly or in combination, do not teach or describe the requirement of these claims for, when at least one application is executed in the computer, a change in the selected location based on a newly determined location does not require termination of the at least one application. There is no indication of this type of operation in any of the cited references."

Examiner maintains that: Applicant should note that the claim limitation is given the broadest reasonable interpretation during the examination. Someone with ordinary skill in the art at the time of the invention was made would understand that Watts teaches selected personality does not require termination of the at least one application by having the operating system running when changing the location. —e.g. column 9, lines 30-35 and lines 54-65. Furthermore, if the operating system doesn't terminate when personality changes, any other application running under the same operating system would not require termination unless it's required to terminate the applications as part of design choice for any security concern. Therefore, Examiner maintains the above rejection and believes that cited reference of Watts would not require terminating any applications that are running under operating system when there is a location change or personality change).

Applicant argues that: "Kataoka teaches storing encryption keys that are used according to system ID's associated with messages, not according to the location of the host computer. In fact, there is no suggestion in Kataoka that the location of the host computer can or should be expected to change."

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Furthermore, Watts discloses location of the host computer can or should be expected to change (column 8, lines 35-65).

Applicant argues that: "Guzman is not describing the establishment of a universal code that would be applied to files to be used in all of the network elements, but rather alternative ways of

establishing naming conventions to indicate the particular network element for which a file contains data.”

In response to applicant's argument it is noted that the features upon which applicant relies (i.e., “a universal code that would be applied to files to be used in all of the network elements”) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Guzman discloses the code which implements the filter further passes files tagged as universal irrespective of the selected location and thereby overrides the filter action (“...restoration engine 404 remove character fields and renames the restoration file” - e.g., column 13, lines 5-15).

Conclusion

34. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUMAN DEBNATH whose telephone number is (571)270-1256. The examiner can normally be reached on 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. D./

Examiner, Art Unit 2135

/KimYen Vu/

Supervisory Patent Examiner, Art Unit 2135